

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Section 14.70.040 of the Lincoln Municipal Code  
2 to delete references to "sidewalk" which will allow plumbers and utility contractors to backfill  
3 areas under sidewalks; and repealing Section 14.70.040 of the Lincoln Municipal Code as  
4 hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 14.70.040 of the Lincoln Municipal Code be amended  
7 to read as follows:

8 **14.70.040 Excavation and Backfill.**

9 The opening and backfill of all cuts, trenches, and excavations shall be done in  
10 accordance with the City's standard specifications. The permittee shall notify the Department  
11 of Public Works and Utilities, Maintenance Division, when the excavation is ready for backfill.  
12 All backfill in any cuts, trenches, or excavation beneath any paved or unpaved roadway ~~or~~  
13 ~~beneath any sidewalk~~ shall be placed by the Department of Public Works and Utilities. The  
14 costs and expenses incident thereto shall be collected from the permittee in the manner  
15 provided for in the permit. All other backfill in any cuts, trenches, and excavations not located  
16 beneath a paved or unpaved roadway ~~or a sidewalk~~ shall be placed by the permittee, who  
17 shall be responsible for any and all costs associated with damage from settlement or repair of  
18 same which occurs within two years after the backfill is replaced.

1                   Section 2. That Section 14.70.040 of the Lincoln Municipal Code as hitherto  
2 existing be and the same is hereby repealed.

3                   Section 3. That this ordinance shall take effect and be in force from and after  
4 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant